

Application No.: 10/038,760

Applicants: Anthony A. Sauvé and Vern L. Schramm

Filed: January 4, 2002

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REMARKS

Claims 1-5, 10, 11, 14, 15, 30 and 33-42 are pending in the instant application. By this amendment, Claims 1-5 have been amended above. The amendments to Claims 1-5 are supported by the application as filed and do not introduce any new matter. The optional substituents for the N-linked pyridyl in Claim 1 are supported in the application at page 7. Claims 2 and 3 have been amended to be consistent with the amendments to Claim 1. Claims 4 and 5 have been amended to change their dependency upon Claim 1. The amendments place the application in condition for allowance or in better form for appeal. Accordingly, entry of the claim amendments is respectfully requested.

Claim Objections

Claim 2 and its dependent claims were objected for failing to further limit the scope of Claim 1 to which the claims dependent. Applicants believe this objection should be moot in view of the claim amendments above.

Double Patenting

Claims 1-4, 10-11, 14-15, 30, 33-39 and 41-42 were provisionally rejected for obviousness-type double patenting as unpatentable over certain claims of co-pending Application No. 10/158,636. Again, applicants believe that this provisional rejection should be moot in view of the claim amendments above.

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Rejections Under 35 U.S.C. 112, second paragraph

Claims 1-3, 10-11, 14-15, 30, 33-38 and 41-42 were rejected under 35 U.S.C. 112, second paragraph. Again, applicants believe that the amendments to the claims above should render moot this rejection.

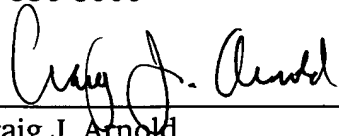
In view of the preceding amendments and remarks, applicants respectfully request that the Examiner reconsider and withdraw the various grounds of objections and rejections set forth in the June 6, 2005 Office Action, and earnestly solicit allowance of the claims current pending, namely Claims 1-5, 10, 11, 14, 15, 30 and 33-42.

It is believed that no fee is necessary in connection with the filing of this Amendment. If any fee is required to maintain the pendency of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785.

Respectfully submitted

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